



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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County Counsel

November 19, 2012

TO: SACHI A. HAMAI
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: PATRICK A. WU 
Senior Assistant County Counsel

RE: **Item for the Board of Supervisors' Agenda**
County Claims Board Recommendation
Prathees Murugesapillai v. Antelope Valley Emergency
Medical Association, et al.
United States District Court Case No. 2:09-CV-1514-R(ex)

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

PAW:rfm

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Prathees Murugesapillai v. Antelope Valley Emergency Medical Association, et al., United States District Court Case No. 2:09-CV-1514-R(ex), in the amount of \$490,000 plus assumption of the Medi-Cal lien, if any, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Health Services' budget.

This lawsuit concerns the care received by an inmate while in custody at Mira Loma Detention Center.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

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|----------------------------|--|
| CASE NAME | Prathees Murugesapillai v. Antelope Valley Emergency Medical Association, et al. |
| CASE NUMBER | 2:09-cv-1514-R(ex) - Federal case MS 006798 - State case |
| COURT | United States District Court - Central District |
| DATE FILED | October 2, 2009 |
| COUNTY DEPARTMENT | Department of Health Services |
| PROPOSED SETTLEMENT AMOUNT | \$490,000 |
| ATTORNEY FOR PLAINTIFF | Conal Boyle, Esq. Willoughby Doyle LLP Thomas M. Dempsey, Esq. Law Offices of Thomas M. Dempsey |
| COUNTY COUNSEL ATTORNEY | Narbeh Bagdasarian Senior Deputy County Counsel |
| NATURE OF CASE | Prathees Murugesapillai, was placed in civil detention at Mira Loma Detention Center, a facility managed by the County of Los Angeles. In late February 2008, Mr. Murugesapillai began complaining of headaches for which he received care from the health care providers from the Los Angeles County's Department of Health Services. On March 4, 2008, Mr. Murugesapillai was transported to Antelope Valley Hospital, a non-County |

facility. At that facility, Mr. Murugesapillai underwent various diagnostic tests which showed an infection in Mr. Murugesapillai's brain.

Mr. Murugesapillai filed a lawsuit against the County of Los Angeles and Antelope Valley Hospital claiming that the care provided to him was negligent.

PAID ATTORNEY FEES, TO DATE

\$245,497

PAID COSTS, TO DATE

\$87,795

Case Name: Murugesapillia, Prathees



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

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|--|---|
| Date of incident/event: | March 4, 2008 |
| Briefly provide a description of the incident/event: | Prathees Murugesapillai, was placed in civil detention at Mira Loma Detention Center, a facility managed by the County of Los Angeles. In late February 2008, Mr. Murugesapillai began complaining of headaches for which he received care from the health care providers from Los Angeles County's Department of Health Services. On March 4, 2008, Mr. Murugesapillai was transported to Antelope Valley Hospital, a non-County facility. At that facility, Mr. Murugesapillai underwent various tests which showed an infection in Mr. Murugesapillai's brain. Mr. Murugesapillai filed a lawsuit against the County of Los Angeles and Antelope Valley Hospital claiming that the care provided to him was negligent. |

1. Briefly describe the root cause(s) of the claim/lawsuit:

Brain damage resulting from infection.

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

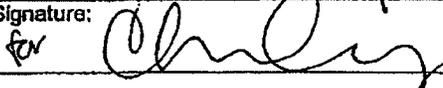
- All appropriate personnel corrective actions have been taken.
- A system-wide survey was conducted to determine if any DHS facilities send nurse practitioners (NPs) to provide health care in non-DHS facilities. Currently, NPs are sent only to other County owned facilities.

County of Los Angeles
Summary Corrective Action Plan

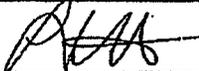
3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management for assistance)

- Potentially has County-wide implications.
- Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- Does not appear to have County-wide or other department implications.

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| Name: (Risk Management Coordinator) Kim McKenzie. | |
| Signature:  | Date: 8/29/12 |

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|---|---------------|
| Name: (Department Head) Christina Ghaly for Mitch Katz | |
| Signature:  for | Date: 9/17/12 |

Chief Executive Office Risk Management

| | |
|--|-----------------|
| Name: LEO COSTANTINO | |
| Signature:  | Date: 8/28/2012 |